

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.19700 of 2023**

Arising Out of PS. Case No.-319 Year-2022 Thana- SAHEBPUR KAMAL District-  
Begusarai

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Ashutosh Chandra Rai @ Rupesh Kumar @ Ashutosh Chandra Ray @  
Rupesh Ray S/O- Sri Nawal Kishore Ray Village- Raghunathpur, Ward No.8,  
P.S.- S. Kamal, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      22-05-2023              Learned counsel for the petitioner is permitted to  
  
remove defect (s), as pointed out by the office, if any, within a  
  
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned  
  
A.P.P. for the State.

The petitioner has preferred this application for grant  
  
of regular bail in connection with S. Kamal P.S. Case No. 319 of  
  
2022 dated 23.11.2022 registered for the offences punishable u/s  
  
120(b), 147, 148, 149 of the Indian Penal Code and Sections  
  
25(1-b)a, 26, 35 and 27 of the Arms Act.

As per the prosecution case, the petitioner along with  
  
co-accused persons tried to forcibly cultivate the land of the



informant. 10-11 persons came in the field and one of them started firing. Others were holding lathi and danda. From the place of occurrence, the police found five empty cartridges of 315 bore and four empty cartridges of 7.65 mm bore. The police reached the place of Bam Bam Yadav and recovered one loaded automatic pistol, 9 empty cartridges, one tractor, a rifle with magazine containing three cartridges. It is alleged that the petitioner is named in the F.I.R.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the possession of the petitioner. He has further submitted that the several arms and ammunition has been recovered from the possession of the co-accused Bam-Bam Yadav. The petitioner has got one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 25.11.2022.

Learned A.P.P. for the State has vehemently opposed the prayer of bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court  
concerned, Begusarai in connection with S. Kamal P.S. Case  
No. 319 of 2022.

The application stands allowed.

**(Chandra Prakash Singh, J)**

Gautam/-

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